



STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE
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Testimony of Michelle Cruz, Esq., State Victim Advocate
Judiciary Committee
Wednesday, March 24, 2010

Good morning Senator McDonald, Representative Lawlor and distinguished members of the Judiciary Committee. For the record, my name is Michelle Cruz and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to provide testimony in **SUPPORT** of:

Raised House Bill No. 5378, *An Act Concerning the Tolling of Time Periods for Bringing a Dram Shop Action While Police Investigations are Pending*

Last week, LeeAnn Vertefeuille testified before you regarding her experience throughout the criminal justice process and the Office of the Victim Advocate (OVA). As you may recall, LeeAnn was struck by a repeat drunk driver and sustained significant injuries, including the amputation of her leg. As is with many criminal investigations, the investigation in LeeAnn's case took months before an arrest was made; test results and accident reconstruction are only two examples that contribute to delays in completing investigations. Furthermore, LeeAnn spent more than a month in the hospital followed by more months of long and painful rehabilitation. During the criminal investigation of LeeAnn's case, LeeAnn was focused, not only on her recovery of the physical injuries she sustained, but also the emotional and psychological trauma she has suffered and will continue to suffer. Frankly, the last thing on her mind during those difficult months was a dram shop action. Raised House Bill No. 5378 will toll the statute of limitations during the pendency of a criminal investigation. This will provide victims that have sustained serious injuries more time that is desperately needed to recover before having to determine whether a dram shop action is feasible.

The Judiciary Committee should also be aware that it is often the case that the criminal investigation may take upwards of nine months to a year to complete, especially when you consider cases that require subpoenas for blood alcohol results as well as apprehension of the offender. In addition, I would advocate for a good cause clause for cases where victims whose physical injuries are such that they require prolonged hospitalization and/or rehabilitation which have caused a delay in bringing forth such a claim.

I strongly urge the committee to support this proposal. Thank you for consideration of my testimony.

Respectfully submitted,

Michelle Cruz, Esq.
State Victim Advocate